

## REMARKS/ARGUMENTS

### General

Applicant extends its gratitude to the Office for noting the allowability of the subject matter of claims 6 and 8 – 9.

### Claim Amendments

Applicant has canceled claims 1 and 3 – 5 and has amended claim 2. Support for the amendments of claim 2 can be found at least at page 12, line 20 - page 13, line 3 and FIG. 2. Applicant has presented new claims 18 and 19, support for which can be found at least at page 12, line 28 - page 13, line 2, and page 21, lines 22-24 and FIG. 9 of the original disclosure. Applicant reserves the right, without prejudice to re-present the subject matter of the original claims in the instant, or in a continuing, application.

### Claim Rejections under 35 USC § 103

1. Claims 2 and 4 stand rejected under 35 USC § 103 as allegedly obvious in view of Kato (US2004/0004682) and Kido (US 2003/0189401). Applicant has canceled claim 4 thereby rendering the rejection moot and respectfully traverses the rejection in as much as it may apply to the claims as amended.

Kato et al. (US 2004/0004682) discloses that:

[0056] The interface between the electroluminescent layer 14 and the reflective electrode 13 of the backlight panel 35 shown in FIG. 5 can have minute concavities and convexities. In this modified embodiment, the interface between the electroluminescent layer 14 and the reflective electrode 13 functions as the scattering portion. In the structure of the paragraph [0056] and FIG. 5, it is first required that minute concavities and convexities should be formed on a surface of an electroluminescent layer 14. The surface of the layer 14 accordingly is impaired by etching or the like.

By contrast, an organic light emitting device according to amended claim 2 includes an intervening layer disposed between the emission layers (3) and the second surface of the second electrode (2), which has variations of a film thickness of the layer. Accordingly, it is possible to

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prevent the emission layers (3) from being impaired by etching or the like and it is easy to manufacture the organic light emitting device – the combination of Kato and Kido fail to describe or suggest the features of amended claim 2 as required to support a rejection under 35 USC § 103.

2. Claims 3, 5, 7, 10 – 11 and 13 stand rejected under 35 USC § 103 as allegedly obvious in view of Tyan (US 2004/0061136) and Kido. Applicant has canceled claims 3 and 5 thereby rendering the rejection moot and respectfully traverses the rejection of claims 7, 10 - 11 and 13.

With regard to independent claim 7, Applicant respectfully submits that while Tyan discloses optimizing layer thickness to yield maximum light transmission, such description in Tyan merely describes one of several various well-known technologies, such as providing dielectric mirror structures, replacing reflective electrodes with light-absorbing electrodes, etc., for yielding maximum light transmission. In this regard, Tyan fails to describe or suggest which layers should be optimized to yield maximum light transmission and also fails to describe or suggest optimizing a distance between a light reflective element (8) and the emission layers (3) in the range of 1 $\mu$ m to 1mm (See FIG. 9).

In accordance with the instant claims, a distance between the light reflective element (8) and the emission layers (3) is in the range of 1 $\mu$ m to 1mm by means of optical spacer (11) and accordingly, optical interference does not occur substantively (see page 21, line 5 and original claim 7). Thus, as shown in Table 2, the range of 1 $\mu$ m to 1mm in accordance with the instant claims improves values ( $1.5 \times 10^{-5}$ ,  $5.8 \times 10^{-5}$ ,  $7.2 \times 10^{-4}$ ) of  $((x_1-x_2)^2 + (y_1-y_2)^2)$  when compared with a comparative example 5 ( $3.6 \times 10^{-3}$ ). The combination of Tyan and Kido simply fails to describe or otherwise suggest that a distance between the light reflective element and the emission layers is in the range of 1 $\mu$ m to 1mm by means of an optical spacer so as to be set to a distance where an angle dependency of light emission brightness and light emission color can be reduced as set forth in claim 7.

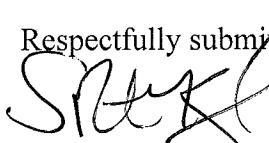
In view of the above, Applicant respectfully submits that claim 7, and those claims depending therefrom, are not obvious in view of Tyan and Kido.

**CONCLUSION**

In view of the above, Applicant respectfully submits that the pending application is in condition for allowance, which action is courteously requested. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 04-1105.

Dated: January 4, 2012  
**Customer No.: 21874**

Respectfully submitted,



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